

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SHERMAN CARTER,	:
	:
Plaintiff,	:
	:
v.	: Civil Action No. 99-757-JJF
	:
COMMISSIONER STANLEY TAYLOR,	:
	:
Defendants.	:

MEMORANDUM ORDER

The Court has received two letters in this case pertaining to discovery issues. A letter (D.I. 152) filed by Plaintiff requests the Court to order the Court Administrator and Deputy Prothonotary of the Delaware Superior Court to produce documents related to problems in sentencing calculations experienced by the Department of Correction from 1998 through 1999. A letter (D.I. 151) filed by Defendants does not appear to address the issue raised in Plaintiff's letter, but refers to a second discovery request by Plaintiff for a copy of the Inmate Grievance Procedure for the Delaware Correction Center. In their letter, Defendants decline to provide Plaintiff with a copy of this procedure, unless he can point to a discovery request seeking this information.

Discovery in this case has closed, and the case is scheduled for a pretrial conference on December 1, 2005. Because Plaintiff is proceeding pro se, the Court concludes that Plaintiff is entitled to a copy of the Inmate Grievance Procedure if that has

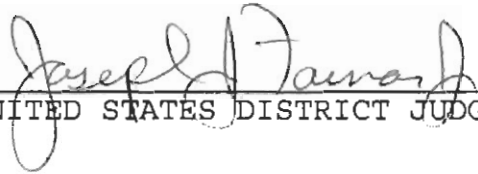
not previously been produced to him by Defendants. Accordingly, Defendants shall produce Plaintiff with that document within ten days of the date of this Order.

As for Plaintiff's request that the Court order the Delaware Superior Court to produce documentation that relates to problems in the calculation of inmates' sentences, the Court understands from Plaintiff's letter that he has previously written to the state court to request this information. However, it is unclear to the Court whether Plaintiff has propounded his request for production to Defendants. Presumably, Plaintiff has not made this request to Defendants, because Defendants would have filed a responsive letter to the Court. Assuming Plaintiff has not made his request to Defendants through discovery in this case, the Court concludes that Plaintiff should not be permitted to seek a new line of discovery since the time period for discovery has closed. Accordingly, the Court will deny Plaintiff's October 9, 2005 letter request for documents from the state courts.

NOW THEREFORE, IT IS HEREBY ORDERED this 16 day of November 2005, that:

1. Defendants shall produce to Plaintiff a copy of the Inmate Grievance Procedure **within 10 days of the date of this Order.**

2. Plaintiff's letter request (D.I. 152) for the production of documents from the Delaware Superior Court is DENIED.


UNITED STATES DISTRICT JUDGE